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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,111	12/15/2003	Sergey Brin	0026-0021CON1	4857
44989	7590	07/28/2008		
HARRITY SNYDER, LLP 11350 Random Hills Road SUITE 600 FAIRFAX, VA 22030			EXAMINER AL HASHEMI, SANA A	
			ART UNIT 2164	PAPER NUMBER
			MAIL DATE 07/28/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/734,111	<b>Applicant(s)</b> BRIN, SERGEY	
	<b>Examiner</b> Sana Al-Hashemi	<b>Art Unit</b> 2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 35-41 and 43-49 is/are pending in the application.
- 4a) Of the above claim(s) 55-60 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 35-41 and 43-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This action is issued in response to applicant amendment/RCE filed 6/12/08.

Claims 1-34, 42, 50-54 were canceled. Claims 35-41, 43-49 were amended. Claims 55-60 were withdrawn from consideration.

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/12/08 has been entered.

### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 35-41, and 43-49 are rejected under 35 USC 102(e) as being anticipated by Wu Patent No. 5,991,756 files Nov. 3, 1997.

Regarding Claims 35, 45, and 49 Wu discloses a computer-implemented method comprising:

receiving from a user a first example of target information, wherein the first example includes a first tuple that corresponds to the target information in document stored in a database the first tuple including a plurality of fields (Fig. 3, step 38, Col. 4, lines 41-49, Wu):

finding ones of the documents in the database that contain the first tuple in the database (Fig. 3, 48, Col. 4, lines 50-53, Wu);

analyzing the ones of the documents to identify a pattern that defines a manner in which the first tuple is presented in the ones of the documents, where the pattern and the first tuple differ (Fig. 3, Col. 4, lines 53-56, Wu); and

finding, at least a second tuple in the database that matches the pattern, where the at least a second tuple is a second example of the target information (Fig. 3, step 52, Wu) and differs from the first tuple and the pattern (Col. 4, lines 31-63, Wu).

Regarding Claim 36, Wu discloses a method wherein the pattern is defined as text that matches a regular expression (Col. 3, lines 27-31, Wu).

Regarding Claim 37, Wu discloses a method wherein the text includes hyper-text markup language (HTML) (Col. 4, lines 50-57, Wu).

Regarding Claim 38, Wu discloses a method wherein the pattern includes middle text, where the middle text is between two of the fields on the first tuple (Col. 4, lines 57-61, Wu).

Regarding Claim 39, Wu discloses a method wherein the pattern includes middle text, the middle text is between two of the fields of the first tuple (Col. 4, lines 57-61, Wu).

Regarding Claim 40, Wu discloses a method further comprising:

Recognizing a plurality of different patterns based on the occurrence (Col. 6, lines 13-30, Wu).

Regarding Claim 41, Wu discloses a method where the pattern matches the fields of the first tuple (Col. 6, lines 41-50, Wu).

Regarding Claim 43, Wu discloses a method wherein the pattern is defined by a regular expression, context free grammar, or computable function (Col.4, lines 26-28, since the claim contain the term or which is alternative term art is applied only to the regular expression not to computable function, Wu).

Regarding Claim 44, Wu discloses a method wherein the database includes documents retrievable via the World Wide Web (Col. 4, lines 50-53, Wu).

Regarding Claim 46, Wu discloses a computer-readable storage device further comprising:

instruction of the identified tuple to the determined pattern (Col. 6, lines 16-19, Wu).

Regarding Claim 47, Wu discloses a computer-readable storage device further comprising:

Instruction to recognize a plurality of different patterns based on the occurrence (Col. 6, lines 13-30, Wu).

### ***Response to Arguments***

Applicant's arguments filed 6/12/08 have been fully considered but they are not persuasive.

Applicant argues that restriction is improper.

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Examiner disagrees. The claimed invention in the pending claims is directed to a pattern matching as cited in the limitations of the independent claims. On the other hand the newly added claims are directed to the searching method and this is a different subclass in the database art. they both can be used together but they don't have to be together since they are distinct from each other, in matching patterns you don't always have to search as claimed in the newly added claims. And in searching for a document you don't always have to match the pattern of the searched document. Therefore the two claimed invention are distinct and they don't have to be tighter.

Applicant argues the applied art fails to disclose the newly amended limitations.

Examiner disagrees. The newly amended limitations have been addressed in the rejection above.

### ***Point of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sana Al-Hashemi whose telephone number is 571-272-4013.

The examiner can normally be reached on 8Am-4:30Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sana Al-Hashemi/

Primary Examiner, Art Unit 2164